

EXHIBIT 2

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17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA**

19 CISCO SYSTEMS, INC.,)
)
 20 Plaintiff,)
)
 21 v.)
)
 22 ARISTA NETWORKS, INC.,)
)
 23 Defendant.)
)
 24)

CASE NO. 5:14-cv-05344-BLF

**PLAINTIFF CISCO SYSTEMS, INC.'S
 FOURTH SUPPLEMENTAL
 OBJECTIONS AND RESPONSES TO
 DEFENDANT ARISTA NETWORKS,
 INC.'S FIRST SET OF
 INTERROGATORIES (2 AND 5)**

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1 **INTERROGATORY NO. 5:**

2 State in detail the derivation of each CLI Command used by Cisco, including without
3 limitation all CLI Commands that You contend Arista has unlawfully copied.
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5 **RESPONSE TO INTERROGATORY NO. 5:**

6 Cisco incorporates by reference its General Objections as though fully set forth herein.
7 Cisco further objects to this interrogatory as irrelevant and not calculated to lead to the discovery
8 of admissible evidence to the extent it (1) calls for evidence pertaining to specific similarities
9 between Cisco's copyrighted works and individual CLI commands copied by Arista, (2) seeks
10 information not relevant to the copyrightability of Cisco's works-in-suit, and (3) seeks information
11 regarding acts not at issue in this suit. Cisco further objects to the characterization in this
12 interrogatory that any Cisco CLI command was derived. Cisco further objects to this interrogatory
13 to the extent that it calls for information that is publicly available or equally available to Arista,
14 and therefore is of no greater burden for Arista to obtain than for Cisco to obtain. Cisco also
15 objects to this interrogatory as undefined, vague, ambiguous, overbroad, and unduly burdensome
16 in its use of the terms "derivation," "each CLI command used by Cisco," and "all CLI Commands
17 that You contend Arista has unlawfully copied." Cisco further objects to this interrogatory to the
18 extent it seeks information that is protected by the attorney-client privilege, that constitutes
19 attorney work-product, or that is protected by any other applicable privilege, protection, or
20 immunity, including without limitation in connection with the common interest doctrine.

21 Subject to and without waiver of its general and specific objections, and to the extent this
22 interrogatory can be understood, Cisco responds that after conducting a reasonable search it is not
23 presently aware of any information responsive to this interrogatory. Cisco's discovery efforts in
24 this case are ongoing, and Cisco reserves the right to further supplement this response in light of
25 facts learned during discovery.
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1 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 5:**

2 Subject to and without waiver of its general and specific objections, Cisco further responds
3 as follows:

4 Cisco's command line interface (CLI) allows users the option of entering commands at a
5 command line prompt, rather than only using configuration files. Commands for Cisco's CLI
6 include those used to set parameters and others that are used to monitor the state of a machine,
7 device, program or process. Over time, as additional functionality for Cisco's switches and
8 routers was developed, corresponding commands were introduced into CLI by developers at
9 Cisco. Because Cisco's CLI was the result of a collective effort of multiple engineers, there is no
10 single employee who was the origin of all of the commands within Cisco's CLI. Information
11 relating to the timing of introduction of individual commands, as well as additional details, can be
12 found in or ascertained from Cisco's manuals and internal documents. Pursuant to Fed. R. Civ. P.
13 33(d), Cisco refers to CSI-CLI-00358160 - CSI-CLI-00359262. Cisco also incorporates by
14 reference the Bates ranges provided in Cisco's Supplemental Response to Interrogatory No. 2.

15 Cisco's discovery efforts in this case are ongoing, and Cisco reserves the right to further
16 supplement this response in light of facts learned during discovery, including information
17 regarding Arista's accused products and expert discovery.

18
19 **SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 5:**

20 Subject to and without waiver of its general and specific objections, Cisco further responds
21 as follows:

22 Kirk Loughheed is knowledgeable regarding the CLI command expressions and the process
23 by which the CLI command expressions were created.

24 Cisco's discovery efforts in this case are ongoing, and Cisco reserves the right to further
25 supplement this response in light of facts learned during discovery.

THIRD SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 5:

Subject to and without waiver of its general and specific objections, Cisco further responds as follows:

The command expressions that Arista copied from Cisco's copyrighted works were developed by different Cisco engineers—often working in teams—in different circumstances over time. Some of those command expressions were created by early Cisco employees, such as Kirk Lougheed, for incorporation into Cisco's earliest products (*e.g.*, “show hosts,” and “show interfaces”). Cisco created other command expressions in connection with the launch of new products or new features (*e.g.*, “ip name-server,” and “ipv6 address”).

Cisco has provided detailed additional information regarding the development of each command expression copied by Arista in Cisco's supplemental responses to Arista's Interrogatory No. 16 and accompanying exhibits, which is incorporated by reference as if fully set forth herein. The information provided in response to Arista's Interrogatory No. 16 explains the process by which each command expression was created. For each command expression, Cisco has identified the legal author of and developer(s) known to have worked on creating that expression. Cisco also has identified the earliest document known to Cisco that contains each command expression, the earliest operating system (product) that contained each command expression, and the date on which each such operating system was first distributed. Pursuant to Fed. R. Civ. P. 33(d), Cisco additionally refers Arista to the documents cited in its supplemental responses to Arista's Interrogatory No. 16, including source code and documents identified by Bates number.

Cisco's discovery efforts in this case are ongoing, and Cisco reserves the right to further supplement this response in light of facts learned during discovery, including information regarding Arista's accused products and expert discovery.

INTERROGATORY NO. 6:

Identify with specificity each copyrighted work (by copyright and registration number) that You contend Arista has unlawfully copied.

PROOF OF SERVICE

I hereby certify that, at the date entered below and per the agreement of the parties, I caused a true and correct copy of the foregoing to be served by transmission via secure FTP site, the credentials for which were made available to counsel at the email addresses below:

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I declare under penalty of perjury that the foregoing is true and correct. Executed on October 14, 2015, at Berkeley, California.

/s/ Matthew D. Cannon

Matthew D. Cannon